



**OPASTCO**

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August 5, 2004

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

***Ex Parte Notice***

**RE: In the Matter of**

**Western Wireless Corporation  
Petition for Rulemaking to Eliminate Rate-of-Return  
Regulation of Incumbent Local Exchange Carriers  
RM 10822**

**Federal-State Joint Board on Universal Service  
CC Docket No. 96-45**

Dear Ms. Dortch,

The National Telecommunications Cooperative Association (NTCA) and the Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) are filing the attached paper in the above captioned proceeding. The paper, entitled False Premises, False Conclusions: A Response to an Attack on Universal Service, is authored by economist Dale Lehman and responds to the paper Lost In Translation, filed by Western Wireless on February 13, 2004.

The analysis presented in False Premises, False Conclusions conclusively demonstrates that Western Wireless's paper is fundamentally flawed. Its premises are false, its conclusions do not follow from its analyses, and the conclusions themselves are poor universal service policy. The availability of telecommunications and information services in rural areas would be threatened by the suggestions put forward by Western Wireless. The purpose of Western Wireless's paper is to divert attention from the real threat to sustainable high cost funding – their position that wireless carriers are entitled to per-line support that is equal to that received by the ILEC.

In accordance with FCC rules, this notice and the attached paper are being filed electronically in the above-captioned rulemaking and docket.

Sincerely,

Stuart Polikoff  
Director of Government Relations  
OPASTCO

cc: Federal-State Joint Board on Universal Service